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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT SEATTLE

9 UNITED STATES OF AMERICA,

NO. MJ12-432

10 Plaintiff,

11 v.

DETENTION ORDER

12 MARGARITO FARIAS-MENA,

13 Defendant.  
14

15 Offenses charged:

16 Count 1: Conspiracy to Distribute Heroin, in violation of 21 U.S.C. §§  
841(a)(1) and (b)(1)(B)

17 Count 2: Distribution of Heroin, in violation of 21 U.S.C. §§ 841(a)(1) and  
18 (b)(1)(c)

19 Count 3: Possession of Heroin with Intent to Distribute, in violation of 21  
20 U.S.C. §§ 841(a)(1) and (b)(1)(C)

21 Date of Detention Hearing: August 21, 2012

22 The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and  
23 based upon the factual findings and statement of reasons for detention hereafter set forth, finds:

24 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

- 25 1. Pursuant to 18 U.S.C. § 3142(e), there is a rebuttable presumption that  
26 defendant is a flight risk and a danger to the community based on the nature of

DETENTION ORDER

18 U.S.C. § 3142(i)

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1 the pending charges. Application of the presumption is appropriate in this case.

2 2. An immigration detainer has been placed on defendant by the United States  
3 Immigration and Customs Enforcement.

4 3. Defendant has stipulated to detention, but reserves the right to contest his  
5 continued detention if there is a change in circumstances.

6 4. There are no conditions or combination of conditions other than detention that  
7 will reasonably assure the appearance of defendant as required or ensure the  
8 safety of the community.

9 IT IS THEREFORE ORDERED:

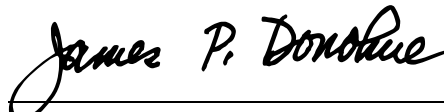
10 (1) Defendant shall be detained and shall be committed to the custody of the  
11 Attorney General for confinement in a correction facility separate, to the extent  
12 practicable, from persons awaiting or serving sentences or being held in custody  
13 pending appeal;

14 (2) Defendant shall be afforded reasonable opportunity for private consultation with  
15 counsel;

16 (3) On order of a court of the United States or on request of an attorney for the  
17 government, the person in charge of the corrections facility in which defendant  
18 is confined shall deliver the defendant to a United States Marshal for the  
19 purpose of an appearance in connection with a court proceeding; and

20 (4) The Clerk shall direct copies of this Order to counsel for the United States, to  
21 counsel for the defendant, to the United States Marshal, and to the United States  
22 Pretrial Services Officer.

23 DATED this 21st day of August, 2012.

24   
25 JAMES P. DONOHUE  
26 United States Magistrate Judge